

REMARKS

1. Present Status of Patent Application

In response to the non-final Office Action dated April 29, 2008, Applicant respectfully requests reconsideration based on the following remarks and amendments. Claims 1, 4, 5, 7-11, 15, and 18-21 have been amended and claims 1-22 remain pending in the present response. Applicant respectfully submits that the claims as presented are in condition for allowance.

2. Summary of Telephone Interview with the Examiner

Applicants first wish to express their sincere appreciation for the time that Examiner Fleischer spent with Applicants' Representative, Mr. Charles W. Griggers, during a telephone discussion on July 17, 2008 regarding the outstanding Office Action. During the discussion, proposed amendments and arguments were discussed regarding the outstanding rejection (which are contained herein). A consensus was not reached regarding the proposed amendments or remarks. Accordingly, Applicants respectfully request the Examiner to consider the contents of present response.

3. Response to Objection of Drawings

The drawings have been objected to under 37 CFR 1.83(a) because they allegedly fail to show details described in the specification.

In particular, the Office Action objects to paragraph 0043 where it states "Within the Integrated Governance system 100, each Governance group 210-270, typically, has a separate database" The Office Action states that elements 210-270 are not indicated to within the framework denoted by system 100. In response, Applicants submit that separate databases 122, 124, 128, 129 associated with different governance groups are denoted by system 100 in accordance with the statement.

The Office Action further states that "servers 141-145" are referenced in paragraph 0033 and not shown in the figures. In response, Applicants respectfully submit that it is "servers 140-146 that are referenced in paragraph 0033 and also clearly shown in FIG. 1.

Applicants have amended paragraph 0040 to refer to “400” instead of “300” to address another one of the Examiner’s objections. The Office Action further states that the description fails to refer to reference character 510. In response, Applicants note that paragraph 0041 refers to reference character 510.

The Office Action further states that the description fails to refer to reference character 1310. In response, Applicants note that paragraph 0045 refers to reference character 1310. Applicants have also amended FIG. 16 to remove reference character 1500 which addresses another one of the Examiner’s objections.

The Office Action further states that the description fails to refer to reference character 1810. In response, Applicants note that paragraph 0052 refers to reference character 1810.

The Office Action also states that the description fails to refer to reference character 1855. In response, Applicants note that paragraph 0054 refers to reference character 1855.

The Office Action further states that the description fails to refer to reference characters 1860, 1870, and 1880. In response, Applicants note that paragraph 0053 refers to reference characters 1860, 1870, and 1880.

For at least these reasons, withdrawal of the objections is respectfully requested.

4. Response to Objections of Specification

The disclosure has been objected to because of various informalities. To address one informality, paragraph 0040 has been amended to refer to “400” instead of “300.”

Further, the Office Action states that the description fails to refer to reference character 510. In response, Applicants note that paragraph 0041 refers to reference character 510.

The Office Action also states that the description fails to refer to reference character 1310. In response, Applicants note that paragraph 0045 refers to reference character 1310.

To address an additional informality, FIG. 16 has been amended to remove reference character 1500. The Office Action further states that the description fails to

refer to reference character 1810. In response, Applicants note that paragraph 0052 refers to reference character 1810.

The Office Action further states that the description fails to refer to reference character 1855. In response, Applicants note that paragraph 0054 refers to reference character 1855.

The Office Action also states that the description fails to refer to reference characters 1860, 1870, and 1880. In response, Applicants note that paragraph 0053 refers to reference characters 1860, 1870, and 1880.

For at least these reasons, withdrawal of the objections is respectfully requested.

5. Response to Objections of Claims

Claim 14 has been objected to under 37 CFR 1.75(c) as allegedly being of improper dependent form.

For reference, claim 14 recites “wherein significant issues include issues that are new and issues that occur across multiple operational units” and base claim 5 recites “reviewing the data at an enterprise level to identify one or more significant issues to the business enterprise” and “determining a plan, at the enterprise level, to address the significant issue across the business enterprise.” The Office Action contends that claim 14 does not further limit the parent or base claim. In response, Applicants respectfully disagree since claim 14 stipulates that the significant issue(s) being identified in claim 5 includes issues that are new and occur across multiple operational units. In contrast, claim 5 could cover a significant issue that does not occur across multiple operational units which is not covered in claim 14. For at least this reason, withdrawal of the objection of claim 14 is respectfully requested.

Claim 16 has been objected to under 37 CFR 1.75(c) as allegedly being of improper dependent form.

For reference, claim 16 recites “wherein the collective knowledge within the business enterprise includes an understanding of current business practices of the operational units” and base claim 15 recites “utilizing collective knowledge within the business enterprise to identify the one or more significant issues.” The Office Action contends that claim 16 does not further limit the parent or base claim. In response,

Applicants respectfully disagree since claim 16 stipulates that the collective knowledge being utilized in claim 15 includes an understanding of current business practices of the operational units. In contrast, claim 15 could cover collective knowledge that does not include an understanding of current business practices of the operational units which is not covered in claim 16. For at least this reason, withdrawal of the objection of claim 16 is respectfully requested.

Claim 17 has been objected to under 37 CFR 1.75(c) as allegedly being of improper dependent form.

For reference, claim 17 recites “wherein the collective knowledge within the business enterprise includes an understanding of recent legal matters concerning the enterprise” and base claim 15 recites “utilizing collective knowledge within the business enterprise to identify the one or more significant issues.” The Office Action contends that claim 17 does not further limit the parent or base claim. In response, Applicants respectfully disagree since claim 17 stipulates that the collective knowledge being utilized in claim 15 includes an understanding of recent legal matters concerning the enterprise. In contrast, claim 15 could cover collective knowledge that does not include an understanding of recent legal matters concerning the enterprise which is not covered in claim 17. For at least this reason, withdrawal of the objection of claim 17 is respectfully requested.

6. Response to Rejections of Claims Under 35 U.S.C. § 102

Claims 5-9 and 11-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Williams* (“Information Security Governance”). Applicants respectfully traverse these rejections.

a. Claims 5-9 and 11-18

As provided in independent claim 5, Applicants claim:

An Integrated Governance method, comprising:
individually summarizing data from a plurality of governance databases located on a business network of a business enterprise, wherein the plurality of governance databases is maintained by a plurality of governance departments, the plurality of governance departments including an audit department, a security department, an ethics

department, a compliance department, and a business controls department;

reviewing the data at an enterprise level by an integrated governance team to identify one or more significant issues to the business enterprise;

determining a plan, at the enterprise level, to address the significant issue across the business enterprise; and

communicating the plan to each operational unit within the business enterprise,

wherein the integrated governance team includes representatives from each of the plurality of governance departments, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit.

(Emphasis Added).

Applicants respectfully submit that independent claim 5 is allowable for at least the reason that *Williams* does not disclose, teach, or suggest at least “wherein the integrated governance team includes representatives from each of the plurality of governance departments, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit,” as emphasized above.

For example, *Williams* describes Information Security governance. *Williams* discloses that “those charged at the highest levels with governance responsibilities (e.g.,

Audit Committee members and non-executive directors) need to seek positive assurance that information security is taken seriously and that company assets are properly secured. Furthermore, organizations need to protect themselves against the risks inherent in the use of information systems while simultaneously recognising the benefits and the value that can accrue from having secure information systems.” See page 61. *Williams* does not disclose an actual system or plan for carrying out these needs. Rather, *Williams* describes general goals of a compliance strategy and does not disclose an approach for reviewing data within a plurality of governance databases being monitored by governance sources. As such, *Williams* fails to teach or suggest at least “wherein the integrated governance team includes representatives from each of the plurality of governance departments, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit,” as recited in claim 5.

As a result, claim 5 is allowable over the cited art of record. Since claims 6-9 and 11-18 depend from and include the features of claim 5 and recite additional features, claims 6-9 and 11-18 are allowable as a matter of law over the cited art.

b. Claims 19-22

As provided in independent claim 19, Applicants claim:

A method for implementing an integrated governance program, comprising:

forming an integrated governance team to identify problematic issues in designated governance areas across a business enterprise, the integrated governance team comprising members having knowledge of each of the designated governance areas and of operational units within the enterprise;

compiling data from a plurality of databases that contain information regarding the governance areas for a plurality of the operational units in the enterprise;

integrating together data from the plurality of databases to form a comprehensive summary of governance information for the enterprise;

analyzing, as a team, the comprehensive summary to identify one or more significant issues within the governance areas for the enterprise;

utilizing collective knowledge of the integrated governance team to uncover the fundamental cause of the respective significant issue; and

forming, as a team, a comprehensive plan to address the fundamental cause of the respective significant issue across the enterprise,

wherein the integrated governance team includes representatives from each of the plurality of governance departments for the business enterprise, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a problematic issue in a designated governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit.

(Emphasis Added).

Applicants respectfully submit that independent claim 19 is allowable for at least the reason that *Williams* does not disclose, teach, or suggest at least “wherein the integrated governance team includes representatives from each of the plurality of governance departments for the business enterprise, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a problematic issue in a designated governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to

a business unit or when the issue occurs across more than one business unit,” as emphasized above.

For example, *Williams* describes Information Security governance. *Williams* discloses that “those charged at the highest levels with governance responsibilities (e.g., Audit Committee members and non-executive directors) need to seek positive assurance that information security is taken seriously and that company assets are properly secured. Furthermore, organizations need to protect themselves against the risks inherent in the use of information systems while simultaneously recognising the benefits and the value that can accrue from having secure information systems.” See page 61. *Williams* does not disclose an actual system or plan for carrying out these needs. Rather, *Williams* describes general goals of a compliance strategy and does not disclose an approach for reviewing data within a plurality of governance databases being monitored by governance sources. As such, *Williams* fails to teach or suggest at least “wherein the integrated governance team includes representatives from each of the plurality of governance departments for the business enterprise, wherein each representative of a governance department is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a problematic issue in a designated governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit,” as recited in claim 19.

As a result, claim 19 is allowable over the cited art of record. Since claims 20-22 depend from and include the features of claim 19 and recite additional features, claims 20-22 are allowable as a matter of law over the cited art.

6. Response to Rejections of Claims Under 35 U.S.C. § 103

Claims 1-4 and 10 have been rejected under 35 U.S.C. § 103(a) as being anticipated by *Williams* ("Information Security Governance") in view of *Holmstrom* ("The State of U.S. Corporate Governance . . . "). Applicants respectfully traverse these rejections.

a. Claims 1-4

As provided in independent claim 1, Applicants claim:

A system for providing an Integrated Governance program, comprising:

a plurality of governance sources monitoring respective governance areas within a business enterprise, the plurality of governance sources including an audit group, a security group, an ethics group, a compliance group, and a business controls group;

a plurality of governance databases, each database maintained by a respective governance source;

at least one or more communication networks interconnecting the plurality of governance databases; and

an integrated governance team reviewing data within the plurality of governance databases to identify significant issues for the enterprise in the governance areas, the integrated governance team including representatives from each of the plurality of governance sources, wherein each representative of a governance source is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process,

wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit.

(Emphasis Added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Williams* in view of *Holmstrom* does not disclose, teach, or suggest at least "an integrated governance team reviewing data within the plurality of governance databases to identify significant issues for the enterprise in the governance areas, the

integrated governance team including representatives from each of the plurality of governance sources, wherein each representative of a governance source is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit,” as emphasized above.

For example, *Williams* describes Information Security governance. *Williams* discloses that “those charged at the highest levels with governance responsibilities (e.g., Audit Committee members and non-executive directors) need to seek positive assurance that information security is taken seriously and that company assets are properly secured. Furthermore, organizations need to protect themselves against the risks inherent in the use of information systems while simultaneously recognising the benefits and the value that can accrue from having secure information systems.” See page 61. *Williams* does not disclose an actual system or plan for carrying out these needs. Rather, *Williams* describes general goals of a compliance strategy and does not disclose an approach for reviewing data within a plurality of governance databases being monitored by governance sources. As such, *Williams* fails to teach or suggest at least “an integrated governance team reviewing data within the plurality of governance databases to identify significant issues for the enterprise in the governance areas, the integrated governance team including representatives from each of the plurality of governance sources, wherein each representative of a governance source is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously

assigned to a business unit or when the issue occurs across more than one business unit,” as recited in claim 1.

Holmstrom describes changes that have taken place in U.S. corporate governance over the last twenty years and also describes select corporate governance proposals. As examples, one proposal by the Commission on Public Trust and Private Enterprise suggests that a compensation committee be formed to evaluate compensation for executives. See page 24. Further, *Holmstrom* discloses that the Sarbanes-Oxley Act mandates that an audit committee be formed to oversee accounting and financial reporting. As such, *Holmstrom* does not disclose an approach for reviewing data within a plurality of governance databases being monitored by governance sources. Accordingly, *Williams* in view of *Holmstrom* fails to teach or suggest at least “an integrated governance team reviewing data within the plurality of governance databases to identify significant issues for the enterprise in the governance areas, the integrated governance team including representatives from each of the plurality of governance sources, wherein each representative of a governance source is responsible for identifying and summarizing relevant data in his or her governance area across a plurality of business units that contain reports of enterprise non-compliance within the business enterprise using a common analytical process, wherein after the integrated governance team identifies a significant issue in a governance area, a business unit is attempted to be determined to take ownership in resolving the issue, wherein the integrated governance team takes ownership of the issue when the issue is new and has not been previously assigned to a business unit or when the issue occurs across more than one business unit,” as recited in claim 1.

As a result, claim 1 is allowable over the cited art of record. Since claims 2-4 depend from claim 1 and recite additional features, claims 2-4 are allowable as a matter of law over the cited art.

b. Claim 10

As previously discussed, claim 5 is allowable over the cited art of record. Since claim 10 depends from and includes the features of claim 5 and recites additional features, claim 10 is allowable as a matter of law over the cited art.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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